

Appl. No. : 10/071,006

REMARKS

This Amendment is Responsive to the Office Action mailed June 27, 2003. Pursuant to restriction requirement as set out in said Office Action, applicant hereby confirms that it has elected Group II consisting of claims 6-20 for examination and that claims 1-5 are withdrawn from further consideration, as being drawn to a non-elected invention.

Turning now to the remainder of the Office Action, the Examiner has rejected the claims based on 35 USC § 112. Applicant believes that the claims as currently amended overcome said rejection as follows:

With respect to page 3 paragraph 2 of the Office Action, Claim 6 has been amended by inserting "after said composting step" before "curing" as per the Examiner's suggestion.

With respect to page 3, paragraph 4 of the Office Action, Claim 6 has been amended by inserting "after said composting step" before "curing" in order to clarify that step of curing is performed on the mix resulting from both the blending and the composting step.

With respect to page 4, paragraph 1 of the Office Action, claim 8 has been amended to recited that the entire mix has a C:N mass ratio of about 20-30 and a moisture content of 60% by weight.

With respect to page 4, paragraph 2 of the Office Action, claim 10 has been amended to specify that clay is added to the entire mixture.

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With respect to page 4, paragraph 3 of the Office Action, claims 11-13 and 20 have been amended to remove reference to "improved". Notwithstanding the foregoing, Attorney for applicant has held the long-standing belief that so long as said language is included in the "whereby clause" that it is permissible.

With respect to page 5, paragraph 1 of the Office Action, claim 19 has been amended to remove reference to "enhanced". Notwithstanding the foregoing, Attorney for applicant has held the long-standing belief that so long as said language is included in the "whereby clause" that it is permissible.

With respect to page 5, paragraph 2 of the Office Action, claims 14-16 have been amended to depend from claim 11 rather than claim 10.

With respect to page 5, paragraph 3 of the Office Action, claims 14-16 have been amended to depend from claim 11 rather than claim 10.

With respect to page 6, paragraph 1 of the Office Action, claim 11 has been amended to recited that the compost mix has a moisture content of "about 60%.

With respect to page 6, paragraph 2 of the Office Action, applicant has confirmed that "coir fiber, perlite, and vermiculite" are not trademarks and accordingly, the claims have been amended such that references thereto are in lower case.

Applicant believes that the above amendments place this application in condition for allowance and such allowance is now respectfully requested.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Robert G. Rosenthal', with a stylized flourish at the end.

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